

AN ORDINANCE TO VACATE THE ALLEY (16 FEET WIDE) WEST OF WASHINGTON AVENUE FROM THE NORLINE OF WEST 19TH STREET, NORTHERLY 128.00 FEET TO A POINT, SAID POINT BEING THE NORTHLINE OF SUBLot 14 PROJECTED WESTERLY, OF THE DANIEL'S AND GLITSCH'S SUBDIVISION AS RECORDED IN VOLUME 5, PAGE 24 OF THE LORAIN COUNTY RECORD OF PLATS.

WHEREAS, a petition signed by 100% of the owners of the abutting property described above, was duly presented to Council praying that said portion of said alley be vacated; and

WHEREAS, City Council, upon hearing, is satisfied that there is good cause for such vacation as prayed for, and that it will not be detrimental to the general interest and ought to be made; and

WHEREAS, under the provision of Ohio Revised Code Section 723.06, notice of pendency and prayer of petition is not required.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LORAIN, STATE OF OHIO:

SECTION 1: That the 16 foot alley west of Washington Avenue from the northline of West 19th Street northerly 128.00 feet to a point, said point being the northline of Sublot 14 projected westerly of the Daniel's and Glitch's Subdivision as recorded in Volume 5, Page 24 of the Lorain County Record of Plats in the city of Lorain, County of Lorain, State of Ohio be the same is hereby vacated, subject however, that the City of Lorain, Ohio reserves to itself and others, easement rights to construct or maintain sanitary sewer conduits, storm sewer conduits, water conduits, gas conduits, electric conduits, fire alarm system conduits, telephone and electric pole transmission lines and other similar facilities under or above said Alley whenever deemed necessary.

SECTION 2: That it is agreed that each one-half of the Alley as described, will revert to the respective abutting owner on each side of said Alley.

SECTION 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of all its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: That this shall take effect and be in force from and after the earliest period allowed by law.

PASSED *April 5*, 2004

PRESIDENT: *Frank J. Hoffman*

ATTEST: *Arnie L. ...*
Mayer

APPROVED: *April 5*, 2004

Nancy Greer
Clerk

I, NANCY A. GREER, CLERK OF COUNCIL OF THE CITY OF LORAIN, OHIO, CERTIFY THE FOREGOING IS A TRUE AND ACCURATE COPY OF ORD. NO. 36-04 ON THE *4* DAY OF *April* 2004 BY MYSELF AND TAKEN FROM THE RECORDS IN THE OFFICE OF THE CLERK. *Nancy Greer*
3-1-06
CLERK OF COUNCIL
DATE